THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.444 OF 2006

Date: 26-04-2006

Between:

The Managing Director, APSRTC and others

…Appellants

and

D.Venkateswara Rao

…Respondent

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.444 OF 2006

J U D G M E N T ***(Per the Hon'ble Sri B. Prakash Rao, J):***

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The Andhra Pradesh State Road Transport Corporation is the appellant herein. It is aggrieved by order dated 20-02-2006 passed by the learned Single Judge in allowing Writ Petition No.6020 of 2000 filed by the respondent herein, who is an employee of the
appellant-Corporation.

In the writ petition, the respondent sought for a *Mandamus* to declare the action of the appellants herein in not considering his case for regularization of services as Work Inspector in the Corporation as illegal. The learned Single Judge, while taking into consideration the various submissions made by both sides, allowed the writ petition and ultimately directed the Corporation to regularize the services of the writ petitioner-respondent in any suitable post with all consequential benefits in terms of the circulars governing the regularization of services of employees as referred to.

Sri P.Vinayaka Swamy, learned Standing Counsel appearing for the Corporation, in support of his contentions, sought to place reliance on the decision of the Supreme Court reported in ***A.P.S.R.T.C and others vs. G.Srinivas Reddy and others,*** wherein, in the circumstances, the orders passed by this Court in a writ petition for considering the case for regularization, especially in regard to contract labour, was set aside holding that such directions could not be given and further liberty was given to such persons to approach an Industrial Tribunal/Court for relief, if any, in accordance with law.

In this view of the matter, following the same judgment, the writ appeal is allowed. The judgment of the learned Single Judge is set aside and liberty is given to the respondent-writ petitioner to approach the Industrial Tribunal/Court for relief, if any, in accordance with law. No order as to costs.

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(B.PRAKASH RAO,J)

Dated 26th April, 2006

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(D.APPA RAO,J)

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